

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

VICTOR RESTIS and ENTERPRISES SHIPPING
AND TRADING, S.A.,

Plaintiffs,

Against

AMERICAN COALITION AGAINST
NUCLEAR IRAN, INC., a/k/a UNITED
AGAINST NUCLEAR IRAN, MARK D.
WALLACE, DAVID IBSEN, NATHAN
CARLETON, and DOES 1-10,

Defendants.

No. 13-cv-5032 (ER)(KNF)

ORAL ARGUMENT REQUESTED

**SUPPLEMENTAL DECLARATION OF LEE WOLOSKY IN SUPPORT OF
DEFENDANTS' MOTION TO DISMISS COMPLAINT PURSUANT TO FED. R. CIV. P.
12(b)(1), 12(b)(6) AND 12(f)**

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*Attorneys for Defendants, American
Coalition Against Nuclear Iran, Inc. a/k/a
United Against Nuclear Iran, Mark D.
Wallace, David Ibsen, and Nathan Carleton*

Lee S. Wolosky declares, pursuant to 28 U.S.C. § 1746:

1. I am a member of the bar of this Court and a member of the law firm of Boies, Schiller & Flexner LLP, counsel for Defendants American Coalition Against Nuclear Iran, Inc. a/k/a United Against Nuclear Iran, Mark D. Wallace, David Ibsen, and Nathan Carleton.
2. I submit this Declaration in support of Defendants' Motion to Dismiss Complaint to the United States District Court for the Southern District of New York.
3. Attached herewith as Exhibit 1 is a true and correct copy of an article from Costas Paris, Greek Shipping Magnate Released from Jail Pending Trial, *Wall Street Journal* (Dec. 4, 2013), available at <http://online.wsj.com/article/BT-CO-20131204-705735.html>

January 28, 2014

New York, New York

_____/s/Lee S. Wolosky

Lee S. Wolosky

Exhibit 1

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Greek Shipping Magnate Released From Jail Pending Trial

By Costas Paris

Victor Restis, one of Greece's best known ship owners, has secured a conditional release from prison before he stands trial on charges of money laundering and embezzlement, according to Greek court officials.

Mr. Restis was released Tuesday from Athens' Korydallos prison after his arrest in July, the officials said. He is accused of using his position to get a 5.8 million euro (\$7.9 million) loan from FBBank, which his family controlled, to finance other companies linked to him, according to court officials. FBBank was subsequently closed earlier this year.

Enterprises Shipping & Trading SA, the company Mr. Restis controls, manages more than 80 vessels including tankers, bulk carriers, containers and cruise ships.

Mr. Restis denies the charges. He wasn't immediately reachable for comment. There is no date scheduled yet for his trial.

Prosecutors said at the time of his arrest that he should remain in custody pending his trial as he could flee the country or commit new offences.

Mr. Restis successfully appealed that decision, but he isn't allowed to leave Greece and must report to a police station regularly ahead of the trial, according to the court officials and a lawyer representing him.

The shipping magnate is one of several high-profile Greek businessmen and former government ministers to be investigated in a crackdown on tax evasion and other illegal activities as Greece has tried to extricate itself from its sovereign debt crisis which blew up five years ago.

Shipping accounts for about 5% of Greece's economy and is one of few sectors unscathed from the country's economic crisis as shipping companies enjoy favorable tax terms at home. Greek ship owners hold much of their wealth outside Greece.

Write to Costas Paris at costas.paris@wsj.com